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PATENT
Attorney Docket 061525-5011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Miekka et al.**) Confirmation No. **4291**
)
Application No. **09/960,703**) Art Unit: **1744**
)
Filing Date: **September 24, 2001**) Examiner: **Krisanne Jastrzab**
)
For: **Methods for sterilizing biological materials**) Dated: **November 16, 2006**
)
containing non-aqueous solvents)

U.S. Patent and Trademark Office
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Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL

1. Further to the Amendment Under 37 C.F.R. 1.116 filed on October 13, 2006 in response to the Final Office Action dated May 16, 2006, transmitted herewith is a Notice of Appeal.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants petition for an additional one-month extension of time further extending the period for response from October 16, 2006 to November 16, 2006, the fee for a small entity which is **\$285.00** as set out in 37 C.F.R. 1.17(a). If Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a Petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. § 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	41	minus	302	0	\$50.00 each=	0.00
Independent Claims	1	minus	8	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

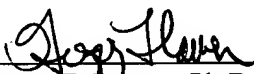
4. Fee Payment: The Commissioner is hereby authorized to charge **\$535.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee (\$250.00) and the additional one-month extension of time fee (\$285.00), both fees at the small entity rate.

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5. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 16, 2006**
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202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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